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LAND USE STUDY  
PAXTON LANDFILL  
CITY OF CHICAGO

consulting engineers

CHARLES W. GREENGARD ASSOCIATES, INC.  
1374 Old Skokie Rd., Highland Park, Ill., Phone 312-831-3380

Purpose:

The purpose of this land-use report is to provide the necessary documentary evidence as requested by the Illinois Environmental Protection Agency based on the Illinois Supreme Court Opinion "Harry A. Carlson v. Village of Worth", Docket No. 47334. This letter is being made part of this report and the evidence submitted will follow the same chronological format:

1. The proposed landfill is located within the corporate limits of the City of Chicago in southeastern Cook County. This site comprises 58.8 acres and is immediately adjacent to the existing Paxton Landfill operations, in effect acting as an extension westward. Investigation of the surrounding areas to the proposed site shows that it is located within the Calumet Area Industrial District, whose area of influence lies west of the Norfolk and Western Railroad and includes all of the industries adjacent to Lake Calumet. Investigation of the area indicates that there are no identified archaeological or historical sites, nor are there any areas of significant natural beauty that could be effected by development and operation of the proposed facility. Operation of the landfill in accordance with the submitted engineering plans and specifications and in conformance with the Illinois Environmental Protection Agency and the Illinois Pollution Control Board Criteria and Regulations, using State of the art techniques of Sanitary Landfill, will allow the site to handle the anticipated refuse in a manner that will not cause serious blight.

2. The attached map indicates the adjacent land uses within a one-mile radius zone of the proposed site. This zone encompasses approximately a 4.9 square mile area.

Land use within this one mile zone is entirely industrial. The western half of the area consists of Lake Calumet proper and existing industries which have been constructed on lake fill. Large vacant areas to the north and south of the site are filled lands which were formerly marshy areas. The area immediately east of the site is the completed sanitary landfill owned and operated by the Paxton Landfill Corporation. The easterly edge of the one mile zone adjoins Torrence Avenue which is all heavy industry.

The Calumet River flows along the southern and eastern portions of the zone connecting Lake Calumet with Lake Michigan. Abutting the river are several industrial sites which use this waterway for transportation purposes.

The site's locale and design for operation are such that no significant offense should occur to persons in the area. Persons traveling or working in the area adjacent to the site on Stony Island Avenue will generally be associated with the industrial activities adjoining it. Protection of the site perimeter with a berm, in addition to the daily operations being below berm level, will reduce the availability of offsite viewing of the proposed landfill activities. Additionally, the sheer remoteness of the site, being located approximately one-half mile from Torrence Avenue and 122nd Street and one and one-half miles from 103rd Street will limit

viewing of the site from the east, north, and south. Nuisance items and health hazards such as blowing litter and vectors will be controlled as outlined in Part V 35 of the application. Dust problems will be minimized by utilizing the existing all-weather haul road, supplemented by road oil as necessary.

3. The proposed landfill site is zoned M3-3, "Heavy Manufacturing District Special Use" by the City of Chicago and is compatible with the surrounding industrial land-uses. The "special use" allows sanitary landfilling in accordance with the City of Chicago's codes and ordinances. Copies of said zoning are submitted in Part II, 13c of the application and are made as an addendum to this report.
4. It is not felt that the proposed landfill will cause a depreciation of the surrounding land uses, as that, filling of the site will reclaim present "marsh land". The proposed grading as shown on the engineering plans is such that it will be compatible with the surrounding topography, and taking into consideration the relatively short, five-year life of the site, the filling should enhance area land values.
5. The present area, half of which is under water and the remainder marsh-like, is nonusable for either recreational or development purposes; consequently, sanitary landfill will bring this area to uniform grades and will result in a favorable use of the area as either recreational or industrial development.

6. Operation of the site in accordance with the engineering design as outlined in the application, and in accordance with the applicable City of Chicago Department of Environmental Control and the Illinois Environmental Protection Agency regulations, backed by on-going site monitoring and inspection, will allow the site to exist without adversely effecting existing air and water quality.
7. This proposed site has an approximate five-year life and is acting as an extension to the present operations of the original Paxton sanitary landfill. The Paxton Landfill Corporation receives approximately 95 percent of its refuse from private scavengers serving the south and southwest sides of the City of Chicago. The proposed site is located in an environmentally sound area and can provide continuing refuse disposal facilities, and has been successfully served by the adjacent landfill. Present access to the site is off of 122nd Street which in turn is fed by Torrence Avenue, a four-lane road. The majority of the present traffic uses Calumet Expressway existing to Torrence Avenue from 103rd and 130th Streets. There are no road or bridge weight limits that would preclude vehicular access to the site. 122nd Street is privately maintained by the Calumet Area Industrial District of which Paxton Landfill Corporation is a member in good standing. 122nd Street adequately accommodates 700 to 800 vehicles per day, of which 100 to 150 trucks per day utilize Paxton Landfill.
8. We are enclosing a certified copy from the Secretary to the Zoning Board of Appeals, City of Chicago, indicating that during zoning procedures for the subject site, all appropriate landowners adjacent to and within 250 feet of the boundary were properly notified. Copies of these notification letters are on file at the City.

On September 26, 1975, the Illinois Supreme Court entered its Opinion in Harry A. Carlson v. Village of Worth, Docket No. 47334. The Supreme Court in that case, in effect, invalidated Standard Condition 4(c) previously included in Agency permits, which Standard Condition 4(c) provides in relevant part as follows:

This authority . . . does not release the permittee from compliance . . . with applicable local laws, regulations, or zoning ordinances.

The Court concluded its opinion with the following language:

". . . the Environmental Protection Agency has not been authorized to delegate the responsibility placed upon it by the General Assembly to decide whether or not a sanitary landfill should be permitted to operate at a specified location."

In light of the above Opinion and from a reading of the Environmental Protection Act, the Agency believes it must decide land use and zoning questions during the permitting process. Therefore, the Agency must deny your application pending receipt of information sufficient to enable us to make such a decision. Documentary evidence must be submitted sufficient to show the following:

1. That the landfill is located so as to minimize scenic blight, and to avoid damage to archaeological and/or historic sites and areas of significant natural beauty;
2. That the landfill is located so as to avoid any hazards to public health and safety and to minimize any offenses to the senses of persons residing, working, traveling, and/or in any way spending periods of time in the immediate vicinity. Immediate vicinity is here defined to mean a one-mile radius zone adjacent to the boundary of the site;
3. Taking into consideration the character of the area involved, including the character of surrounding land uses and the trend of development, as well as local comprehensive plans and zoning ordinances, that the landfill is located so as to minimize incompatibility with the character of the surrounding area.
4. That the landfill is located so as to avoid causing substantial depreciation of nearby property (taking into consideration, where possible, any mitigation caused by the short proposed life of the site and end use);

5. That any detriments caused by removal of the site from its former use are out-weighed by the need in the area for a landfill at this location;
6. That the landfill is located so as to avoid a continued adverse effect on existing air and water quality; and
7. Taking into consideration geological and hydrological factors, the location of the site in relating to sources of solid waste and accessibility to transportation modes, and the technical feasibility and economic reasonableness of disposing of solid waste at the proposed location, that the landfill is suited for its intended use.
8. That municipal officials (and/or county officials, where applicable) as well as local zoning boards and planning agencies and state legislators from the district in which the landfill is located, and adjacent landowners have been notified of the intent to develop and operate a landfill at this location. In addition, that access roads and bridges are not limited to preclude necessary vehicular traffic (i.e. proposed size and weight limits).

